

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

American Dairy Queen Corporation,)	
)	
Plaintiff,)	
)	
v.)	JUDGMENT
)	
YS&J Enterprises, Inc. and John A. Ribet, III)	5:14-CV-151-BR
)	
Defendants.)	
)	

Decision by Court.

This matter is before Senior United States District Judge W. Earl Britt on plaintiff's motion for default judgment against defendants.

IT IS ORDERED, ADJUDGED AND DECREED that plaintiff's motion for default judgment is ALLOWED.

IT IS FURTHER ORDERED, ADJUDGED, and DECREED that:

1. Plaintiff have and recovers of defendants jointly and severally the amount of \$9401.49 for damages and the amount of \$60,035.25 for attorneys' fees, for a total amount of \$69,436.74;
2. Defendants and their officers, managers, guarantors, and employees are hereby PERMANENTLY ENJOINED from:
 - a. Using or displaying the DAIRY QUEEN® and ORANGE JULIUS® trademarks at Cross Creek Mall, 419 Cross Creek Mall, Fayetteville, North Carolina 28303;
 - b. Selling or distributing DAIRY QUEEN® and ORANGE JULIUS® products at Cross Creek Mall, 419 Cross Creek Mall, Fayetteville, North Carolina 28303; and
 - c. Operating their store at Cross Creek Mall, 419 Cross Creek Mall, Fayetteville, North Carolina 28303 as a DAIRY QUEEN® and/or ORANGE JULIUS® store.

3. The Clerk disburse to plaintiff (in the care of plaintiff's counsel) the amount of \$5000 posted as security for issuance of the preliminary injunction.

This judgment filed and entered on August 14, 2014, and served on:

Isaac Linnartz (via CM/ECF Notice of Electronic Filing)

Kerry L. Bundy (via CM/ECF Notice of Electronic Filing)

Nick R. Rotchadl (via CM/ECF Notice of Electronic Filing)

Christopher G. Smith (via CM/ECF Notice of Electronic Filing)

YS&J Enterprises, Inc. (via US Mail at 7000 Windover Drive, Durham, NC 27712)

John A. Ribet, III (via US Mail at 7000 Windover Drive, Durham, NC 27712)

August 14, 2014

/s/ Julie A. Richards,
Clerk of Court